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outweigh any potential adverse effects on Sanctuary resources and qualities from the conduct of the activity.

(d) For jade collection, preference will be given for applications proposing to collect loose pieces of jade for research or educational purposes.

(e) The Director may consider such other factors as he or she deems appropriate.

(f) *Applications.* (1) Applications for permits should be addressed to the Director, Office of National Marine Sanctuaries; ATTN: Superintendent, Monterey Bay National Marine Sanctuary, 299 Foam Street, Monterey, CA 93940.

(2) In addition to the information listed in 15 CFR 922.48(b), all applications must include information the Director needs to make the findings in paragraph (b) of this section and information to be considered by the Director pursuant to paragraph (c) of this section.

(g) In addition to any other terms and conditions that the Director deems appropriate, a permit issued pursuant to this section must require that the permittee agree to hold the United States harmless against any claims arising out of the conduct of the permitted activities.

§ 922.134 Notification and review.

(a) [Reserved]

(b)(1) NOAA has entered into a Memorandum of Agreement (MOA) with the State of California, EPA, and the Association of Monterey Bay Area Governments regarding the Sanctuary regulations relating to water quality within State waters within the Sanctuary.

With regard to permits, the MOA encompasses:

(i) National Pollutant Discharge Elimination System (NPDES) permits issued by the State of California under section 13377 of the California Water Code; and

(ii) Waste Discharge Requirements issued by the State of California under section 13263 of the California Water Code.

(2) The MOA specifies how the process of 15 CFR 922.49 will be administered within State waters within the Sanctuary in coordination with the State permit program.

15 CFR Ch. IX (1–1–10 Edition)

APPENDIX A TO SUBPART M OF PART 922—MONTEREY BAY NATIONAL MARINE SANCTUARY BOUNDARY COORDINATES

[Coordinates in this appendix are unprojected (Geographic Coordinate System) and are calculated using the North American Datum of 1983]

Point ID No.	Latitude	Longitude
Seaward Boundary		
1	37.88163	– 122.62788
2	37.66641	– 122.75105
3	37.61622	– 122.76937
4	37.57147	– 122.80399
5	37.52988	– 122.85988
6	37.50948	– 122.90614
7	37.49418	– 123.00770
8	37.50819	– 123.09617
9	37.52001	– 123.12879
10	37.45304	– 123.14009
11	37.34316	– 123.13170
12	37.23062	– 123.10431
13	37.13021	– 123.02864
14	37.06295	– 122.91261
15	37.03509	– 122.77639
16	36.92155	– 122.80595
17	36.80632	– 122.81564
18	36.69192	– 122.80539
19	36.57938	– 122.77416
20	36.47338	– 122.72568
21	36.37242	– 122.65789
22	36.27887	– 122.57410
23	36.19571	– 122.47699
24	36.12414	– 122.36527
25	36.06864	– 122.24438
26	36.02451	– 122.11672
27	35.99596	– 121.98232
28	35.98309	– 121.84069
29	35.98157	– 121.75634
30	35.92933	– 121.71119
31	35.83773	– 121.71922
32	35.72063	– 121.71216
33	35.59497	– 121.69030
34	35.55327	– 121.63048
35	35.55485	– 121.09803
36	37.59437	– 122.52082
37	37.61367	– 122.61673
38	37.76694	– 122.65011
39	37.81760	– 122.53048
Harbor Exclusions		
40	37.49414	– 122.48483
41	37.49540	– 122.48576
42	36.96082	– 122.00175
43	36.96143	– 122.00112
44	36.80684	– 121.79145
45	36.80133	– 121.79047
46	36.60837	– 121.88970
47	36.60580	– 121.88965

APPENDIX B TO SUBPART M OF PART 922—ZONES WITHIN THE SANCTUARY WHERE OVERFLIGHTS BELOW 1000 FEET ARE PROHIBITED

The four zones are:

(1) From mean high water out to three nautical miles (NM) between a line extending from Point Santa Cruz on a southwesterly heading bearing of 220° true and a line extending from 2.0 nmi north of Pescadero Point on a southwesterly heading bearing of 240° true;

(2) From mean high water out to three nmi between a line extending from the Carmel River mouth on a westerly heading bearing of 270° true and a line extending due west along latitude 35.55488° off of Cambria;

(3) From mean high water and within a five nmi arc drawn from a center point at the end of Moss Landing Pier as it appeared on the most current NOAA nautical charts as of January 1, 1993; and

(4) Over the waters of Elkhorn Slough east of the Highway One bridge to Elkhorn Road.

APPENDIX C TO SUBPART M OF PART 922—DREDGED MATERIAL DISPOSAL SITES WITHIN THE SANCTUARY

[Coordinates in this appendix are unprojected (Geographic Coordinate System) and are calculated using the North American Datum of 1983]

Point ID No.	Latitude	Longitude
Santa Cruz Harbor/Twin Lakes Dredge Disposal Site		
1	36.9625	– 122.00056
2	36.9625	– 121.99861
3	36.96139	– 121.99833
4	36.96139	– 122.00083
SF–12 Dredge Disposal Site		
1	36.80207	– 121.79207
2	36.80157	– 121.79218
3	36.80172	– 121.79325
4	36.80243	– 121.79295
SF–14 Dredge Disposal Site		
(circle with 500 yard radius)		
1	36.79799	– 121.81907
Monterey Harbor/Wharf II Dredge Disposal Site		
1	36.60297	– 121.88942
2	36.60283	– 121.88787
3	36.60092	– 121.88827
4	36.60120	– 121.88978

APPENDIX D TO SUBPART M OF PART 922—DREDGED MATERIAL DISPOSAL SITES ADJACENT TO THE MONTEREY BAY NATIONAL MARINE SANCTUARY

[Coordinates in this appendix are unprojected (Geographic Coordinate System) and are calculated using the North American Datum of 1983]

As of January 1, 1993, the U.S. Army Corps of Engineers operates the following dredged material disposal site adjacent to the Sanctuary off of the Golden Gate:

Point ID No.	Latitude	Longitude
1	37.76458	– 122.56900
2	37.74963	– 122.62281
3	37.74152	– 122.61932
4	37.75677	– 122.56482
5	37.76458	– 122.56900

APPENDIX E TO SUBPART M OF PART 922—MOTORIZED PERSONAL WATERCRAFT ZONES AND ACCESS ROUTES WITHIN THE SANCTUARY

[Coordinates in this appendix are unprojected (Geographic Coordinate System) and are calculated using the North American Datum of 1983]

The five zones and access routes are:

(1) The approximately one [1.0] NM2 area off Pillar Point Harbor from harbor launch ramps, through harbor entrance to the northern boundary of Zone One:

Point ID No.	Latitude	Longitude
1 (flashing 5-second breakwater entrance light and horn located at the seaward end of the outer west breakwater)	37.49395	– 122.48477
2 (bell buoy)	37.48167	– 122.48333
3	37.48000	– 122.46667
4	37.49333	– 122.46667

(2) The approximately five [5.0] NM2 area off of Santa Cruz Small Craft Harbor from harbor launch ramps, through harbor entrance, and then along a 100 yard wide access route southwest along a true bearing of approximately 196° true (180° magnetic) to the whistle buoy at 36.93833N, 122.01000 W. Zone Two is bounded by:

Point ID No.	Latitude	Longitude
1	36.91667	– 122.03333
2	36.91667	– 121.96667
3	36.94167	– 121.96667
4	36.94167	– 122.03333

(3) The approximately six [6.0] NM2 area off of Moss Landing Harbor from harbor launch ramps, through harbor entrance, and then along a 100 yard wide access route west along a bearing of approximately 270° true (255° magnetic) due west to the eastern boundary of Zone Three bounded by:

Point ID No.	Latitude	Longitude
1	36.83333	– 121.82167
2	36.83333	– 121.84667
3	36.77833	– 121.84667
4	36.77833	– 121.81667
5 (bell buoy)	36.79833	– 121.80167
6	36.81500	– 121.80333

(4) The approximately five [5.0] NM2 area off of Monterey Harbor from harbor launch ramps to the seaward end of the U.S. Coast Guard Pier, and then along a 100 yard wide